

Form G-3 (20241101)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION ☐ DIVISION

In re: Edgar J De La Torre

) Chapter 13 ☐

)

) No. 23-05478

)

Debtor(s)

) Judge Donald R. Cassling



NOTICE OF MOTION

TO: See attached list

PLEASE TAKE NOTICE that on February 13, 2025, at 9:30 a.m. ☐, I will appear before the Honorable Donald R. Cassling ☐, or any judge sitting in that judge's place, **either** in courtroom 619 of the Everett McKinley Dirksen United States Courthouse ☐, 219 S. Dearborn Street, Chicago, IL 60604 ☐ **or** electronically as described below, and present the motion of Debtor [to/for] Approve Settlement, a copy of which is attached.

Important: Only parties and their counsel may appear for presentment of the motion electronically using Zoom for Government. All others must appear in person.

To appear by Zoom using the internet, go to this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

To appear by Zoom using a telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

Meeting ID and passcode. The meeting ID for this hearing is 161 414 7941, and the passcode is 619. The meeting ID and passcode can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

By: /s/ David H. Cutler

David H. Cutler

Counsel for Debtor(s)

Cutler & Associates, Ltd.

4131 Main St. Skokie, IL 60076

Phone: (847) 673-8600

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CERTIFICATE OF SERVICE

I, David H. Cutler,

☒ an attorney, certify

- or -

☐ a non-attorney, declare under penalty of perjury under the laws of the United States of America

that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown and by the method shown on January 23, 2025, at 6:00 p.m. ☐ *

/s/ David H. Cutler

[Signature]

*All applicable boxes must be checked and all blanks filled in.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In Re:)	Case No.: 23-05478
)	
Edgar J De La Torre)	Chapter 13
)	
Debtor(s).)	Judge: Donald R Cassling

MOTION TO APPROVE SETTLEMENT

NOW COMES the Debtor, Edgar J De La Torre, (hereafter referred to as “the Debtor”), by and through his attorneys, Cutler & Associates, Ltd., to present this Motion and state as follows:

1. On April 25, 2023, the Debtor filed a petition for relief under Chapter 13 of the Bankruptcy Code.
2. This Honorable Court confirmed the Debtor’s Chapter 13 plan on August 3, 2023.
3. The Debtor has hired the law firm of Lerner & Rowe Injury Attorneys to pursue a claim due to personal injury, an automobile accident that occurred on November 8, 2023.
4. The Debtor has received a settlement offer for his personal injury claim in the gross amount of \$105,000. The total settlement \$105,000 less \$35,210 to Debtor’s personal injury attorneys, Lerner & Rowe Injury Attorneys, for attorney fees and administration cost and less \$41,067 in medical expenses, leaving \$28,723.
5. The Debtor requests that the settlement of his personal injury claim in the amount of \$105,000 is approved and that his personal injury attorney’s fees to Lerner & Rowe Injury Attorneys, in the amount of \$35,210 are approved.
6. The Debtor additionally requests that this Court allow his personal injury attorneys, Lerner & Rowe Injury Attorneys, to distribute \$41,067 to pay the medical expenses and

for Lerner & Rowe Injury Attorneys to distribute \$15,000 to the Debtor per his personal injury exemption and any proceeds in excess of the Debtor's personal injury exemption shall be paid to the Chapter 13 Trustee, Thomas H. Hooper, to be applied to Debtor's plan base, however in the event proceeds exceed the Debtor's plan base, Debtor may pay off his plan base and retain all remaining proceeds.

WHEREFORE, Debtor prays that this Honorable Court enter an Order approving the settlement of his personal injury claim in the amount of \$105,000, that Lerner & Rowe Injury Attorneys' fees are approved and that they can distribute funds to pay the medical expenses and to the Debtor and for such further relief that this Court may deem just and proper.

Dated: January 23, 2025

Respectfully Submitted,

/s/ David H. Cutler

David H. Cutler, esq.,
Counsel for Debtor(s):
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